

# **SPECIAL TOWN MEETING WARRANT OVERVIEW**

**NOVEMBER 13, 2023  
SWALLOW UNION ELEMENTARY SCHOOL  
7 PM**

# ARTICLE 1

## **Unpaid Bills of FY22 and FY23:**

To see if the Town will vote to appropriate from Free Cash (Surplus Revenue) a sum of money for the purpose of paying unpaid bills of FY2022 and FY2023, or take any action in relation thereto.

Sponsored by the Board of Selectmen and Advisory Board

# ARTICLE 1 - EXPLANATION

## **FY22**

Verizon Business, Inc. - \$12.55: Highway Department phone bill

NFP Corporate Services, LLC - \$3,750: Health Insurance Consulting Services

## **FY23**

Nicols Woodworks - \$1,600: Removal of a large dead pine tree from the corner of Rideout Cemetery

LHS Associates - \$863: Election services and support

Election Systems & Software - \$776.78: Election services and support

Spectrum Enterprise - \$93.52: Internet

**Total: \$7,095.85**

# ARTICLE 2

**Section 22 - Town Center Zoning Bylaw:** To see if the Town will vote to amend the Zoning Bylaws by making the following additions and amendments, and to authorize the Town Clerk to make non-substantive changes to the numbering of the Zoning Bylaws as necessary, or take any action in relation thereto (insertions are underlined):

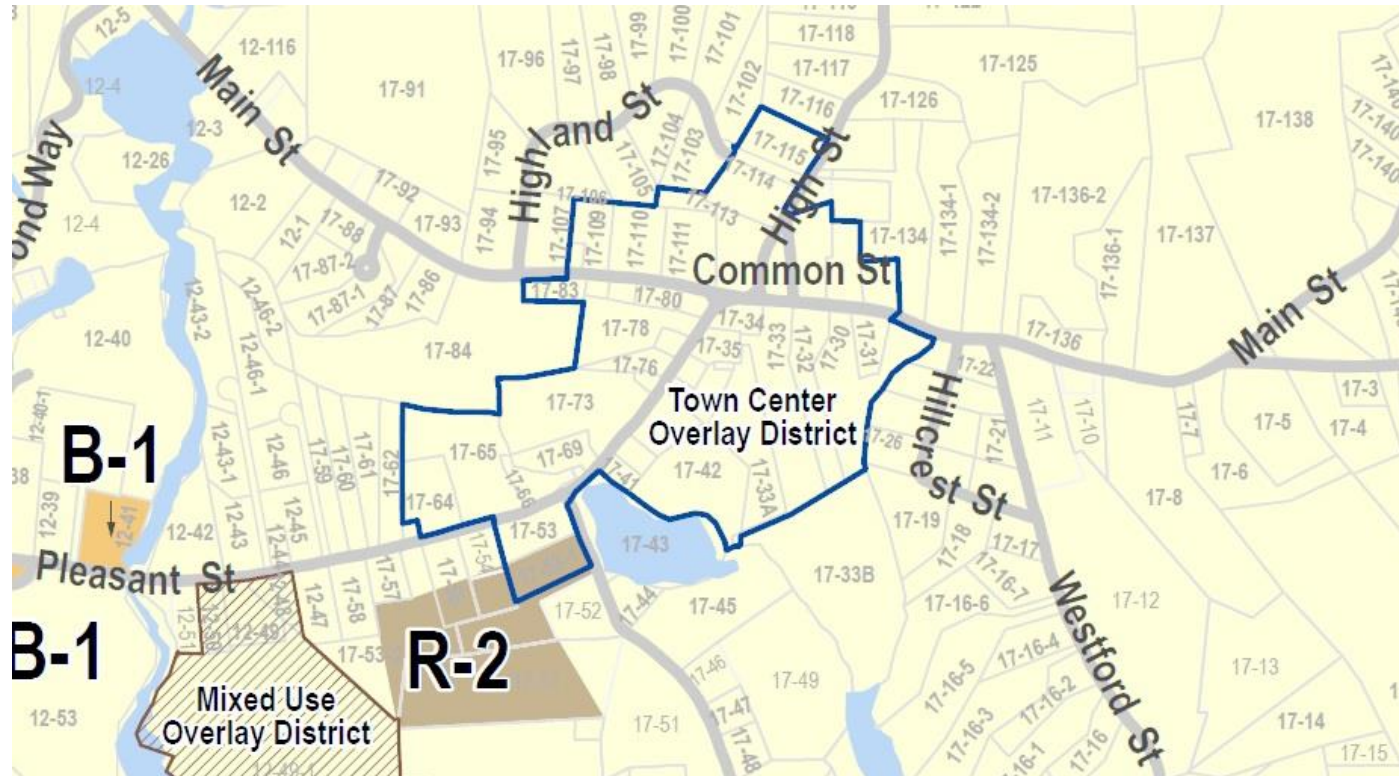
Inserting under Section C, Number 7:

8. Conversion of existing buildings for the sale of alcohol products for off premise consumption to be limited to one establishment in the TCD. The sale of nips (spirits sold in the volume or 2oz. or less), cigarettes, and lottery tickets are prohibited.

Sponsored by the Planning Board and Board of Selectmen

# ARTICLE 2 - EXPLANATION

- This change to the Town Center Zoning Bylaw would allow for one retail establishment to sell alcohol products within the Town Center Zoning District.
- Currently, the bylaw allows the sale of alcohol within the Town Center District only if the alcohol is brewed and/or fermented onsite.



# ARTICLE 3

## **Changing the Board of Selectmen in the Town of Dunstable to the Select Board Special Act:**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact special legislation to change the name of the Board of Selectmen to Select Board with references to the Board of Selectmen replaced with “Select Board” in Town Bylaws, as set forth below, and further, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, which amendments shall be within the public purposes of said petition, or take any other action in relation thereto.

# ARTICLE 3

## AN ACT CHANGING THE BOARD OF SELECTMEN IN THE TOWN OF DUNSTABLE TO THE SELECT BOARD

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1: Notwithstanding any general or special law to the contrary, the executive body of the town of Dunstable, previously known as the board of selectmen, shall be known as the select board and shall have the powers and authority of a board of selectmen under any general or special law, by-law of the town, or any rule or regulation applicable thereto. The members of the select board, previously known as selectmen, shall be known as select board members.

SECTION 2: Notwithstanding sections 21 and 32 of chapter 40 of the General Laws and section 5 of chapter 40A of the General Laws or any general or special law to the contrary, the select board of the town of Dunstable may amend the general and zoning by-laws of the town by majority vote to revise all references to the board of selectmen and its members to select board and select board member, respectively, in accordance with section 1.

SECTION 3. This act shall take effect upon its passage.

Sponsored by the Board of Selectmen

# ARTICLE 4

## **Groton Dunstable Regional High School PFAS Mitigation Project:**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money in order to pay for the financing, planning, designing, permitting, and constructing of water infrastructure improvements in order to bring potable drinking water to the Groton Dunstable Regional High School and private homes, required due to per- and polyfluoroalkyl substances (PFAS) contamination in ground water supply sources, and all other costs incidental and related thereto, or take any other action in relation thereto.

Sponsored by the Board of Selectmen and Advisory Board



# ARTICLE 4 - EXPLANATION

## HISTORY

- The Groton Dunstable High School is served by an on-site well, a separate public water supply, operated by the Groton Dunstable Regional School District.
- On March 2022 testing of this public water supply found PFAS(6) concentrations of 490 nanograms/liter (ng/L) at the High School. Subsequent follow-up testing at downgradient water users found concentrations up to 123 ng/L at 15 private wells in the Town of Dunstable.
- The PFAS contamination is attributable to the use of firefighting foam by the Groton Fire Department at the High School during construction of the track on June 17, 2003, to extinguish a fire.

# ARTICLE 4 - EXPLANATION

## REGULATIONS

- MassDEP requires PFAS levels lower than 20 ng/L in sum of 6 PFAS compounds in any public water supply. Currently, the EPA has proposed new regulations limiting PFAS levels to 4 ng/L, not yet in effect.

Compound	MassDEP	EPA	MassDEP Limit	EPA Limit
PFDA	X		Total of 20 ng/l (parts per trillion)	
PFHPA	X			
PFOA	X	X		4 ng/l (ppt)*
PFOS	X	X		4 ng/l (ppt)*
PFNA	X	X		Health Index
PFHxS	X	X		
PFBS		X		
GenX (HFPO-DA)		X		

\* MCLG Maximum Contaminant Level Goal is non-detectable

# ARTICLE 4 - EXPLANATION

## OVERVIEW

- On March 2, 2023, MassDEP issued a Notice of Responsibility to the Groton Dunstable Regional School District including interim deadlines.
- On a temporary basis, bottled water is being used at the high school and some of the surrounding properties for cooking and drinking water purposes. At one address, MassDEP installed and is maintaining a point-of-entry treatment (POET) system because PFAS levels tested above 90 ng/L.
- The Notice of Responsibility required the installation of POET systems at all residences with PFAS levels at or above 20 ng/L and a plan to maintain those systems and monitor PFAS levels.
- The School District must respond with a plan for a permanent solution by January 31, 2024.

# ARTICLE 4 - EXPLANATION

## PUBLIC WATER FINAL OPTIONS

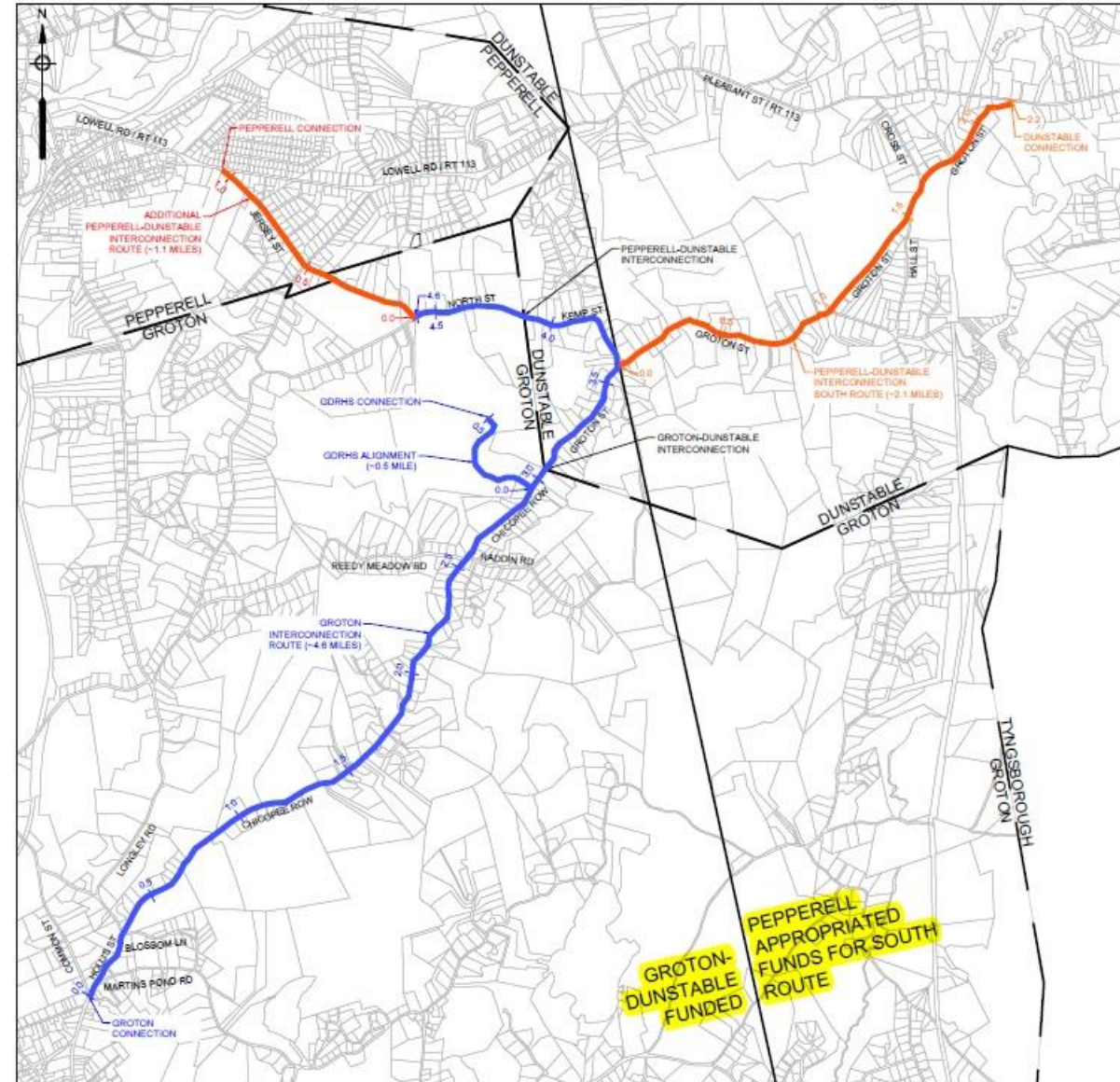
- Towns of Dunstable, Groton, and Pepperell worked together and narrowed the options to solve the problem of PFAS contamination at the high school to three:
  - **Dunstable – Pepperell solution**
    - From Route 113 to Jersey Street in Pepperell → East Street to the Pepperell/Groton town line → East Street to North Street in Groton → Kemp Street and Groton Street in Dunstable → Groton Street to Chicopee Row in Groton and the Groton Dunstable Regional High School.
  - **Groton-Dunstable solution**
    - From Chicopee Row from Hollis Street to Reedy Meadow Road in Groton → to Groton Dunstable Regional High School → to Groton Street and Kemp Street in Dunstable
  - **Dunstable-Groton-Pepperell solution**
    - First Phase:
      - From Chicopee Row from Hollis Street to Reedy Meadow Road in Groton → to Groton Dunstable Regional High School → to Groton Street and Kemp Street in Dunstable → to North Street in Groton
    - Second Phase:
      - East Street in Pepperell → to Jersey Street in Pepperell → to Route 113 in Pepperell and Groton Street and Kemp Street intersection in Dunstable → on Groton Street to Route 113 in Dunstable

# ARTICLE 4 - EXPLANATION

## DUNSTABLE-GROTON-PEPPERELL REGIONAL SOLUTION

- Dunstable Board of Selectmen and Groton Select Board voted to support the regional Dunstable-Groton-Pepperell plan
  - Provides the benefits of both the Groton extension and the Pepperell extension.
  - Provides a water main in Groton Street for properties that may be in the path of the PFAS plume.
  - Provides a water main in Chicopee Row for properties that may be in the path of the PFAS plume.
  - The Groton water main delivers clean water to GDRHS and contaminated properties most quickly.
  - Provides fire flow to the GDRHS and surrounding properties.
  - Will enable the connection of the Pepperell system to the contaminated properties once the Jersey Street water treatment plant (WTP) and booster station are completed.
  - Provides interconnections between the three water systems once the Pepperell-Dunstable interconnection is completed.
  - The water main in Dunstable can be turned over to Dunstable water system when the Pepperell-Dunstable interconnection is complete.
  - Provides additional flexibility for additional water main extensions in case of PFAS contamination (e.g. Wyman Road in Groton could be served by Pepperell/Dunstable or Groton).

# DUNSTABLE- GROTON-PEPPERELL REGIONAL SOLUTION



# ARTICLE 4 - EXPLANATION

## PROJECTED TOTAL COST OF PROJECT

TOWNS OF DUNSTABLE AND GROTON

• Construction and Materials:	\$12,689,500
• Engineering:	\$1,268,950
• Contingency:	<u>\$1,903,425</u>
• Total	\$15,900,000

Does not include connection from Groton Street and Kemp Street intersection to Route 113 in Dunstable.  
This portion of the project is estimated to cost approximately \$10.5 million and is anticipated to be paid for by the Town of Pepperell.

# ARTICLE 4 - EXPLANATION

## PROJECTED TOTAL COST OF PROJECT

TOWNS OF DUNSTABLE, PEPPERELL AND GROTON

• Phase I:	\$12,800,000
• Groton (Chicopee Row → High School → Chicopee Row) to Dunstable (Groton Street → Kemp Street) to Groton (North Street)	
• Phase II:	\$3,100,000
• Groton (North Street) → Pepperell (Jersey Street)	
• Phase II:	\$10,500,000
• Dunstable (Kemp Street/Groton Street → Route 113)	
• Total	<hr/> \$26,400,000



# ARTICLE 4 - EXPLANATION

## COST SHARING

BASED ON DRAFT AGREEMENT BETWEEN TOWNS OF DUNSTABLE AND GROTON

Phase I: \$12,800,000

- Groton: 77.6% (estimated at \$9,937,000)
- Groton Water Department: 7.8% (estimated at \$1,000,000)
- Dunstable: 14.6% (estimated at \$1,863,000)

Phase II: \$3,100,000

- Groton (North Street) → Pepperell (Jersey Street)
- Intermunicipal Agreement between the Towns of Dunstable and Groton still being negotiated and finalized
- DRAFT Agreement includes cost share of 50/50 between the Towns of Dunstable and Groton
- Aggressively seeking federal and state supplemental financing to offset a portion of the cost

Phase II: \$10,500,000

- Dunstable (Kemp Street/Groton Street → Groton Street → Route 113)
- Pepperell: 100% of cost

# ARTICLE 4 - EXPLANATION

## COST SHARING

**BASED ON DRAFT AGREEMENT BETWEEN TOWNS OF DUNSTABLE AND GROTON**

Total Project Cost

- Groton share of project = \$12,487,000
- Pepperell share of the project = \$10,500,000
- Dunstable share of the project = \$3,413,000

Percent Project Cost (only Dunstable/Groton portion of project)

- Groton = 78.5%
- Dunstable = 21.5%

Percent Total Project Cost (Dunstable, Groton, Pepperell)

- Groton = 47%
- Pepperell = 40%
- Dunstable = 13%

# ARTICLE 4 - EXPLANATION

## AVERAGE SINGLE FAMILY HOME TAX IMPACT ESTIMATE

BASED ON DRAFT AGREEMENT BETWEEN TOWNS OF DUNSTABLE AND GROTON

- Phase I
  - With the additional \$62,100, using FY23 tax rate and assessments, the tax rate would increase by 8 cents.
  - The average single family would see an increase of \$47.36 plus the additional 3% CPA.
- Phase II
  - With the additional \$51,667, the tax rate would increase by 7 cents.
  - The average single family would see a tax increase of \$41.44 plus the additional 3% CPA.
- **Total impact = \$88.80 annually**

# ARTICLE 4 - EXPLANATION

## AVERAGE SINGLE FAMILY HOME TAX IMPACT ESTIMATE

BASED ON DRAFT AGREEMENT BETWEEN TOWNS OF DUNSTABLE AND GROTON

- Annually = \$88.80
- Daily = \$.25
- Weekly = \$1.71
- Monthly = \$7.40

# ARTICLE 4 - EXPLANATION

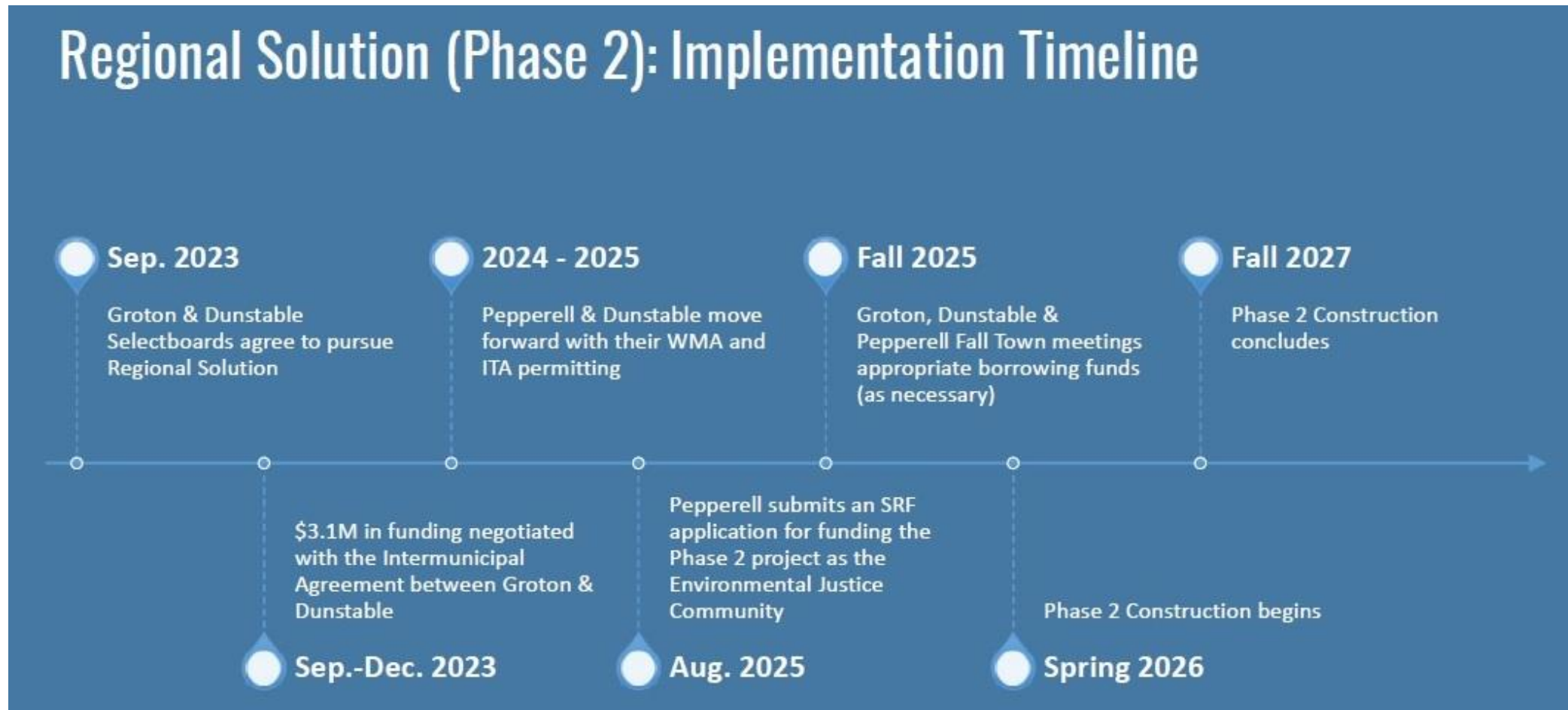
## ANTICIPATED TIMELINE

### Regional Solution (Phase 1): Implementation Timeline



# ARTICLE 4 - EXPLANATION

## ANTICIPATED TIMELINE



# ARTICLE 4 - EXPLANATION

## REQUIRED NEXT STEPS

- Towns of Dunstable and Groton need to finalize Intermunicipal Agreement for Phase I and components of Phase II of the project (From Chicopee Row from Hollis Street to Reedy Meadow Road in Groton → to Groton Dunstable Regional High School → to Groton Street and Kemp Street in Dunstable → to North Street in Groton and to East Street in Pepperell → to Jersey Street in Pepperell → to Route 113 in Pepperell)
- Towns of Dunstable and Groton need to secure funding through a debt exclusion.
- An Intermunicipal Agreement will need to be signed between the Towns of Dunstable, Groton, and Pepperell to negotiate the details of Phase 2, which Phase 1 is contingent on.
- Final design, permitting, bid, construction.